

### REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-26 are pending, with Claims 1, 9 and 17 amended and Claims 24-26 added by the present amendment.

In the Office Action, Claim 1 was objected to; Claim 1 was rejected under 35 U.S.C. §112, second paragraph; Claims 1-3, 9-11 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Murphy (U.S. Patent No. 6,564,380) in view of Miyazaki (U.S. Patent No. 6,195,117); Claims 4 and 12 were rejected under 35 U.S.C. §103(a) in view of Murphy, Miyazaki and Arai et al. (U.S. Patent No. 6,751,401, hereinafter Arai); Claims 5, 8, 13 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Murphy and Miyazaki in view of Nelson (U.S. Patent No. 6,496,568) and Claims 6-7 and 14-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Murphy and Miyazaki in view of Waytena et al. (U.S. Patent No. 5,978,770, hereinafter Waytena).

Applicants acknowledge with appreciation the personal interview between the Examiner, his supervisor and Applicants' representative on October 11, 2006. During the interview, the Examiners indicated that Applicants' Amendment filed on October 4, 2006 overcame the rejections presented in the Official Action of August 7, 2006. However, the Examiners indicated that further progress toward allowance may be obtained by amending the independent claims to recite "unidirectional" streaming. The Examiners also indicated that adding claims directed to Applicants' disclosed "reconfirmation" process would further progress towards allowance. Claims 1, 9 and 17 are amended as suggested by the Examiners. New Claims 24-26 are directed to Applicants' disclosed reconfirmation process, as suggested by the Examiners. No new matter is added. The following remarks are repeated from Applicants' amendment filed on October 4, 2006.

Applicants traverse the objection to Claim 1 under 35 U.S.C. §112, second paragraph and note that in Applicants' Amendment filed on May 8, 2006 the word "requesting" was deleted. However, to further progress toward allowance, Claim 1 is amended as suggested in paragraph 4 of the Official Action.

Applicants traverse the rejection under 35 U.S.C. §112, second paragraph as described in paragraph 6A of the Official Action. Applicants' claims recite "first party" and "first party distributor terminal apparatus" in a deliberate fashion. In Applicants' claimed invention, a "first party" uses a "first party distributor terminal apparatus" to accomplish defined tasks.

Claim 1 is amended as suggested in paragraphs 6B through 6D of the Official Action. Claim 9 is similarly amended. New dependent Claims 18-23 are directed to additional features disclosed in Applicants' originally filed specification.<sup>1</sup> No new matter is added.

Briefly recapitulating, amended Claim 1 is directed to a content distribution notification method of informing a third party by a first party that a content distribution will be performed. The content distribution is based on a reservation by a first party distributor terminal apparatus. The reservation is for use of a distribution server. The informing is via a reservation control apparatus for controlling a reservation status of the distribution server, via a first network. The reservation is for performing a live content distribution using the distribution server based on the reservation. The live content distribution is performed using the distribution server for distributing content by streaming via the network to a client terminal apparatus. The content distribution notification method includes a reservation requesting step of sending reservation request information including a desired service time to use the distribution server and third party contact address who should be informed that the content distribution will be performed, from the first party distributor terminal apparatus to

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<sup>1</sup> Specification, page 53, line 5 – page 54, line 24.

the reservation control apparatus via a network. The method also includes setting a reservation based on said reservation request information. The method also includes a subsequent notifying step of sending the notification information based on the reservation request information and for notifying the third party that the content distribution will be performed, from the reservation control apparatus to the third party contact address via the network when the content distribution using the distribution server in the desired service time included in the reservation request information is permitted. The method also includes streaming the content distribution from a live distribution source to the third party. Claims 9 and 17 are directed to an apparatus and computer program product reciting features similar to those recited in the method of Claim 1.

Murphy describes an Internet-based video feed management system that controls, manages and administers the commercial distribution of live video feed from onsite video cameras as well as other sources of video feeds to production companies and other locations. In Murphy, a requesting party can designate one or more persons authorized to access a video feed at a particular time, such as a director at a terminal for viewing the video feed and a studio technician at another terminal for capturing the video feed for later editing or retransmission. Alternatively, a requesting party can designate a list of subscribers who have paid to view a particular video feed of a live event.<sup>2</sup>

In one embodiment of Murphy, a master feed list is maintained at a master authorization server. The master feed list is continuously updated with feed availability information sent by local servers. Any party that comes to the master server site can view the master feed list. The master server can provide user functions such as search and query to assist with finding desired video feeds, or allow the user to profile the types of feeds it may

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<sup>2</sup> Murphy, column 11, lines 45-52.

want to access and send automatic notification when such feeds become available.<sup>3</sup> Also, a Master Web site is the home site for the system's network, and is the site to which users of the system log on to find what video feeds are available and to request and contract for access to a desired video feed.<sup>4</sup>

Murphy describes Live Video Feeds that are feeds being captured of a live event at a local source, and are made available to a requesting party at scheduled dates and times for the events. They can include, for example, live performances, telemedicine conferencing, in-classroom distance learning, videoconferencing, or live customer service or sales support. The listing of live video feeds obtained through remotely controllable cameras can be offered to the requesting party with the option of remote control of the capture of a live video feed.<sup>5</sup>

However, Murphy does not disclose or suggest sending reservation request information to a distribution server, along with contact addresses of clients who should be informed that the content distribution will be performed. Murphy also fails to disclose or suggest a subsequent step of sending notification information based on the reservation request information and for notifying that the content distribution will be performed where the notification is sent to the contact addresses of the client users. That is, Murphy fails to disclose or suggest a method of reserving by a first party content distribution assets on behalf of third parties, and then notifying the third parties of the time that the content will be distributed. Indeed, the only notification function described in Murphy concerns the automatic notification described in column 12. Here the user (i.e., a first party) profiles the types of feed that it, *the first party*, may want to access. That is, the notifications described in Murphy are established *by the first party* and sent *to the first party*. Applicants' claimed invention, however, enables a first party (the user of the claimed distributor terminal apparatus) to make reservation requests on behalf of a third party (the user of the claimed

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<sup>3</sup> Murphy column 12, lines 23-34.

<sup>4</sup> Murphy, column 7, lines 30-45

<sup>5</sup> Murphy, column 12, lines 35-45.

client terminal apparatus) for use of a distribution server via a reservation control apparatus. Murphy fails to disclose or suggest any ability for a distributor of streaming information to make reception reservation requests on behalf of a third party of any kind, let alone making reservations via a reservation control apparatus for the intended recipient of the streaming content for access to the data coming from a distribution server.

Furthermore, as discussed during the interview of October 27, 2005, Murphy fails to disclose or suggest Applicants' claimed cancellation notice and change notice recited in Claims 4-5 and 12-13. Also as discussed during the interview, Murphy fails to disclose or suggest Applicants' claimed reconfirmation as recited in Claims 6-7 and 14-15.

Figure 3 of Miyazaki describes a video conference reservation process. In particular, the reservation control section 28 of the conference control device 11 displays a confirmation screen for providing notification of the conference to be held to the conference member terminal 12<sub>1</sub> (STEP 49), when the notification is distributed. The reservation control section 28 (conference notification forming means) forms the notification of the conference (STEP 50). The reservation control section displays a selection screen for selecting whether the notification is distributed by electronic mail or is printed to the conference member terminal 12<sub>1</sub> (STEP 51). When notification is by electronic mail, the conference member terminal 12<sub>1</sub>, selects the electronic mail address of transmission destination from the electronic mail address stored in the electronic mail address storage section 30 within the conference control device 11 (STEP 52). Further, when an electronic mail address is not registered in the electronic mail address storage section 30, the screen enables inputting the electronic mail address of destination to be sent directly.<sup>6</sup> Figure 4 of Miyazaki describes a reservation

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<sup>6</sup> Miyazaki column 6, lines 38-60.

notification process. This identification process includes transmitting identifications by electronic mail.<sup>7</sup>

Applicants first submit there is no teaching, suggestion, or motivation, either explicitly or implicitly, in either reference to combine the Internet-based studio video feed management system of Murphy with the video teleconference scheduling features of Miyazaki to arrive at Applicants' inventions recited in Claims 1, 9 and 17. Thus, Applicants submit it is only through an impermissible hindsight reconstruction of Applicants' invention that the rejection of Claims 1, 9 and 17 can be understood.<sup>8</sup>

Furthermore, both Murphy and Miyazaki fail to disclose or suggest reservation request information that includes one of at least a first reservation type and a second reservation type as recited in amended independent Claims 1, 9 and 17. Both Murphy and Miyazaki also fail to disclose or suggest a first reservation type and a second reservation type which include a restricted reservation type and a public reservation type, respectively; or a restricted reservation type that is one of a password reservation type and a secret reservation type, as recited in Applicants' newly added dependent Claims 18-23.

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<sup>7</sup> Miyazaki, column 7, lines 16-36.

<sup>8</sup> MPEP § 2143.01 "Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge of one of ordinary skill in the art."

Accordingly, in view of the present amendment and in light of the previous discussion, Applicants respectfully submit that the present application is in condition for allowance and respectfully request an early and favorable action to that effect.

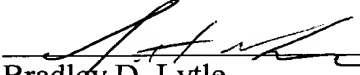
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 03/06)  
MM/rle

  
Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073  
Michael E. Monaco  
Registration No. 52,041

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Scott A. McKeown  
Registration No. 42,866